

Congress of the United States
Washington, DC 20515

December 2, 2014

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Received & Inspected

Mr. Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street, Southwest
Washington, DC 20554-0004

DEC 10 2014

FCC Mail Room

Dear Chairman Wheeler:

We are writing to you on behalf of Mr. Barry Scott, Superintendent, McCrory Public Schools in Arkansas, regarding his request for the Federal Communications Commission (FCC) to waive the requirement that a contract is signed prior to the submission of Form 471, The Schools and Libraries Universal Service Description of Services Ordered and Certification. Attached you will find a copy of the Superintendent's request that was recently submitted to the FCC online.

According to Superintendent Scott, he suddenly became ill prior to the school board meeting during which the broadband contract was scheduled for consideration. Since the superintendent had to miss the meeting, the official leading the meeting decided to table consideration of the contract until his return. This unfortunate occurrence resulted in the contract not being signed prior to the submission of Form 471.

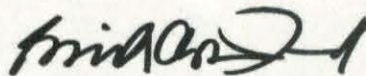
McCrory is a small, rural town in Arkansas. There is only one broadband provider available, and broadband access is very important to the school district as it prepares for upcoming mandatory testing. Under the circumstances, we would be grateful if you would extend all possible favorable and expeditious consideration to Superintendent Scott's waiver request, in accordance with the regulations. Time is crucial to the school district being able to meet the needs of the students and education requirements.

Thank you in advance for your understanding and cooperation. We look forward to receiving your response.

Sincerely,



Mark Pryor
United States Senator



Rick Crawford
Member of Congress



McCrory Public Schools



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BARRY SCOTT
SUPERINTENDENT

LINCOLN DANIELS
PRINCIPAL

RE: McCrory School District E-rate Form 471 Number 976344.

The McCrory School District respectfully requests the FCC waive the requirement that a contract is signed prior to the submission the Form 471. The district submitted Funding Year 2015/2016 Form 471 976344 on March 21, 2014. The service listed on the application is Internet access via fiber from CenturyLink to the McCrory School District.

The reason the contract was not signed at the time of submission is simple. On the day of the March 20, 2014 school board meeting (at which time the broadband connection was going to be discussed), our superintendent got sick and was not able to attend the meeting. As such, the high school principal conducted the meeting but did not feel comfortable discussing the broadband issue (because he was not up to speed on the matter) so the school board decided to table the discussion until the April meeting. On the April meeting the school board discussed the contract and it was signed.

It was already decided (through discussions by the Technology Coordinator advising the superintendent) prior to the board meeting that the district would enter into the 36 month contract with CenturyLink. The contract was scheduled to be signed in March prior to the superintendent's illness. The timeline of events shows the district was operating in good faith and fully intended to sign the contract prior to submitting the Form 471.

The following timeline will show that the McCrory School District was prepared to sign a contract prior to the filing of the Form 471.

July 15, 2013	The district submitted E-rate Form 470 856990001137807
February 21, 2014:	Due to anticipated state funding for fiber connectivity the district submitted a second E-rate Form 470 864880001222934
February 26, 2014:	CenturyLink, the only provider in the McCrory area, provided quotes for a 36 month and a 60 month contract (Attachment A).
February 27, 2014:	McCrory School District requested a quote for a one (1) year contract (Attachment B).
February 28, 2014:	CenturyLink responded that a one (1) year contract is not available (Attachment C)
March 14, 2014	Board agenda published (Attachment D).
March 20, 2014	Superintendent opens administration office for board meeting. Superintendent becomes too ill to remain for the discussion on the broadband contract.
March 20, 2014	Board postpones broadband discussion to next board meeting (Attachment E.)

March 21, 2014	E-rate application, Form 471 976344 submitted.
April 17, 2014	Board approves 36 month contract with CenturyLink (Attachment F)
April 28, 2014	Contract between McCrory School District signed (Attachment G)
May 15, 2014	USAC approves Form 471 976344 as submitted
May 2, 2014	CenturyLink refused to install connectivity because contract was signed after the E-rate Form 471 was submitted.

McCrory School District respectfully requests the FCC grant the district a waiver of the signed contract requirement. McCrory is a very small rural town in Arkansas and only has one provider, CenturyLink. Broadband access is crucial as the district embraces digital learning, one-to-one initiatives and prepares for common core testing.

If you have any questions please contact Bryan Lowery, Technology Coordinator via phone (870-731-0082) or loweryb@mccrory.k12.ar.us.

Sincerely



Barry N. Scott
Superintendent